

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

VOLUNTARY PETITION

NAME OF DEBTOR

Benjamin Beristain

NAME of JOINT DEBTOR

ALL OTHER NAMES USED BY THE DEBTOR IN THE LAST 6 YEARS (including married, maiden & trade)

AKA Benji Beristain

ALL OTHER NAMES USED BY THE JOINT DEBTOR IN THE LAST 6 YEARS (including married, maiden & trade)

SOC. SECURITY #/TAX I.D. NO (if more than one, state all) IF FALSE OR FRAUDULENT DO NOT SIGN THIS PETITION & COMMIT PERJURY!!! (Last 4 digits of Social)

*****-**-4003**

SOC. SECURITY #/TAX I.D. NO (if more than one, state all) IF FALSE OR FRAUDULENT DO NOT SIGN THIS PETITION & COMMIT PERJURY!!! (Last 4 digits of Social)

*****-**-**

STREET ADDRESS OF DEBTOR

**7929 W. 74th Place
Bridgeview IL 60455**

STREET ADDRESS OF JOINT DEBTOR

COUNTY OF RESIDENCE OR PRINCIPAL PLACE OF BUSINESS

Cook

COUNTY OF RESIDENCE OR PRINCIPAL PLACE OF BUSINESS

Cook

MAILING ADDRESS OF DEBTOR

MAILING ADDRESS OF JOINT DEBTOR

LOCATION OF PRINCIPAL ASSETS OF BUSINESS DEBTOR (IF DIFFERENT FROM STREET ADDRESS ABOVE)

NOT APPLICABLE

Information Regarding the Debtor (Check the Applicable Boxes)

VENUE (Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District

TYPE OF DEBTOR (Check all boxes that apply)

☒ **Individual(s)**

- ☐ Corporation ☐ Railroad
☐ Partnership ☐ Stockbroker
☐ Other _____ ☐ Commodity Broker

CHAPTER OR SECTION OF BANKRUPTCY CODE UNDER WHICH THE PETITION IS FILED (Check one box)

- ☐ Chapter 7 ☐ Chapter 11 ☒ Chapter 13
☐ Chapter 9 ☐ Chapter 12 ☐
☐ Sec 304 0-- Case ancillary to foreign proceeding

NATURE OF DEBTS (Check one box)

☒ Consumer/Non-Business ☐ Business

FILING FEE (Check one box)

☒ Full Filing Fee Attached

CHAPTER 11 SMALL BUSINESS (Check all boxes that apply)

- ☐ Debtor is a small business as defined in 11 U.S.C. §101
☐ Debtor is and elects to be considered a small business under 11 U.S.C. Sec.1121(e) (Optional)

☐ Filing Fee to be paid in installments (Applicable to individuals only). Must attach signed application for the court consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b)/

STATISTICAL/ADMINISTRATIVE INFORMATION (Estimates Only)

- ☐ Debtor estimates that funds will be available for distribution to unsecured creditors
- ☒ Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

ESTIMATED NO. OF CREDITORS

☒ **19**

ESTIMATED ASSETS

☒ **\$ 247,260**

ESTIMATED DEBTS

☒ **\$ 304,220**

PFG Record # 229476

Document Page 2 of 24

Voluntary Petition

NAME OF DEBTOR(s)

Benjamin Beristain

(This page must be completed and filed in every case)

I STATE THAT I FILED THE FOLLOWING OTHER BANKRUPTCY CASES WITHIN LAST 6 YEARS (IF BLANK, THIS IS FIRST IN 6 YRS)

LOCATION WHERE FILED:

CASE NO.

DATE FILED

PENDING BANKRUPTCY CASE FILED BY ANY SPOUSE, PARTNER, OR AFFILIATE OF THE DEBTOR(S)

NAME OF DEBTOR:

CASE NUMBER:

DATE:

DISTRICT

RELATIONSHIP:

JUDGE:

Exhibit A (To be completed only if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

____ Exhibit A is attached and made a part of this petition

Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? NO If yes and Exhibit C is attached and made a part of this petition ____XXXX No

Signature of Non-Attorney Petition Preparer I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document Printed Name of Bankruptcy Petition Preparer _____ Social Sec# _____ Address _____

X _____ Signature of Bankruptcy Petition Preparer A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines of imprisonment of both 11 U.S.C. 110; 18 U.S.C. 156.

DEBTOR (S) READ ENTIRE PETITION SIGN, AND DATE BELOW. ALSO, SIGN ON EVERY OTHER PAGE REQUIRED

I declare under penalty of perjury that the information provided in this petition is true and correct. I am aware that I may proceed under Chapter 7, 11, 12 or 13 of Title 11, U.S. Code, understand the relief available under each such Chapter and choose to proceed. I request relief in accordance with the Chapter of Title 11, United States Code, specified in this petition.

Dated: ____/____/2005

Benjamin Beristain**X Date & Sign**

Exhibit B - Signature of Attorney

Attorney Name: **Mario M Arreola**Bar No: **09687938****LAW OFFICES OF PETER FRANCIS GERACI****55 E. Monroe Street #3400****Chicago IL 60603****312.332.1800 (PH) 312.332.6354 (FAX)**

Dated: ____/____/2005

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that (he or she) may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, and have explained the relief available under each Chapter.

Attorney Name: **Mario M Arreola**Bar No: **09687938**

Dated: ____/____/2005

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

Benjamin Beristain / Debtor

Attorney for Debtor: Mario M Arreola

STATEMENT PURSUANT TO RULE 2016(b)

The undersigned, pursuant to Rule 2016(b), Rules of Bankruptcy Procedure, states that:

1. The compensation paid or promised by the Debtor(s), to the undersigned, is as follows:

For legal services rendered, Debtor(s) agrees to pay

\$2,700

Prior to the filing of this Statement, Debtor(s) has paid

\$1,900

Balance Due

-\$800

2. The Filing Fee has been paid.

3. The Service rendered or to be rendered include the following:

- (a) Analysis of the financial situation, and rendering advice and assistance to the client in determining whether to file a petition under Title 11, U.S.C.
- (b) Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
- (c) Representation of the client at the first meeting of creditors.
- (d) Advice as required.

4. The source of payments made by the debtor(s) to the undersigned was from earnings, wages and compensation for services performed, and none other.

5. The source of payments to be made by the debtor(s) to the undersigned for the unpaid balance remaining, if any, will be from earnings, wages and compensation for services performed and none other.

6. The undersigned has received no transfer, assignment or pledge of property from the debtor(s) except the following for the value stated: None.

7. The undersigned has not shared or agreed to share with any other entity, other than with members of the undersigned's law firm, any compensation paid or to be paid without the client's consent, except as follows: None.

Respectfully submitted,

Dated: ____/____/2005

Attorney Name: Mario M Arreola

Bar No: 09687938

**LAW OFFICES OF PETER FRANCIS GERACI
55 E. Monroe Street #3400
Chicago IL 60603
312.332.1800 (PH) 312.332.6354 (FAX)**



UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Benjamin Beristain / Debtor

Attorney for Debtor: Mario M Arreola

SCHEDULE A - REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H", "W", "J", or "C" in the column labeled "HWJC". If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Description and Location of Property	Nature of Debtor's Interest in Property	H W J C	Market Value of Debtor's Interest	Amount of Secured Claim
7929 W. 74th Place., Bridgeview, IL 60455 (Debtor's Residence)			\$ 240,000	\$ 260,000

TOTAL MARKET VALUE OF REAL PROPERTY

\$ 240,000



UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Benjamin Beristain / Debtor

Attorney for Debtor: Mario M Arreola

SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H", "W", "J", or "C" in the column labeled "HWJC". If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	H W J C	Market Value of Debtors
01. Cash on Hand		[X] None
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and load, thrift, building and load, and homestead associations or credit unions, brokerage houses, or cooperatives.		[X] None
03. Security Deposits with public utilities, telephone companies, landlords and others.		[X] None
04. Household goods and furnishings, including audio, video, and computer equipment.		
Household goods; TV, sofa, loveseat, table/chairs, bedroom sets, washer/dryer, large appliances, microwave, dishes/flatware, pots/pans, tools, lawn mower - joint with Margaret Rangel - \$2,000		\$ 1,000
AGF - VCR, camcorder, drill, XBox & games		\$ 1,000
Pulaski Furniture - furniture		\$ 4,000
AGF - TV, camcorder, XBox & games		\$ 1,000
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		
Books, CDs, tapes, family pictures		\$ 50
06. Wearing Apparel		
Necessary wearing apparel		\$ 200
07. Furs and jewelry.		
Watch, wedding ring		\$ 10
08. Firearms and sports, photographic, and other hobby equipment.		[X] None
09. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		
Term life insurance - 2 policies - no cash surrender values		None
10. Annuities		[X] None
11. Interest in IRA, ERISA, Keogh, or other pension or profit sharing plans.		[X] None
12. Stocks and interests in incorporated and unincorporated businesses.		[X] None
13. Interest in partnerships or joint ventures.		[X] None
14. Government and corporate bonds and other negotiable and non-negotiable instruments.		[X] None
15. Accounts receivable		[X] None



UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Benjamin Beristain / Debtor

Attorney for Debtor: Mario M Arreola

SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H", "W", "J", or "C" in the column labeled "HWJC". If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	H W J C	Market Value of Debtors
16. Alimony, maintenance, support and property settlements to which the debtor is or may be entitled		[X] None
17. Other liquidated debts owing debtor including tax refunds.		[X] None
18. Equitable and future interests, life estates, and rights of power exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.		[X] None
19. Contingent and Non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.		[X] None
20. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and rights to setoff claims. Give estimated value of each.		[X] None
21. Patents, copyrights and other intellectual property.		[X] None
22. Licenses, franchises and other general intangibles.		[X] None
23. Autos, Truck, Trailers and other vehicles and accessories.		[X] None
24. Boats, motors and accessories.		[X] None
25. Aircraft and accessories.		[X] None
26. Office equipment, furnishings, and supplies.		[X] None
27. Machinery, fixtures, equipment, and supplies used in business.		[X] None
28. Inventory		[X] None
29. Animals		
Family pet - dog		None
30. Crops-Growing or Harvested.		[X] None
31. Farming equipment and implements.		[X] None
32. Farm supplies, chemicals, and feed.		[X] None
33. Other personal property of any kind not already listed.		[X] None
TOTAL		\$ 7,260



UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Benjamin Beristain / Debtor

Attorney for Debtor: Mario M Arreola

SCHEDULE C - PROPERTY CLAIMED EXEMPT

[] 11 U.S.C S522(b)(1): Exemptions provided in 11 U.S.C. S522(d). Note: These exemptions are available only in certain states.

[x] 11 U.S.C. S522(b)(2): Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as tenant by the entirety or joint tenant to the extent interest is exempt from process under applicable nonbankruptcy law.

Description and Location of Property	Specify Law Providing Exemption and Value of Claimed Exemption	Market Value of Debtor's Interest Before Claim
00. Real Property 7929 W. 74th Place., Bridgeview, IL 60455 (Debtor's Residence)	735 ILCS 5/12-901	\$ 7,500
		\$ 240,000
04. Household goods and furnishings, including audio, video, and computer equipment. Household goods; TV, sofa, loveseat, table/chairs, bedroom sets, washer/dryer, large appliances, microwave, dishes/flatware, pots/pans, tools, lawn mower - joint with Margaret Rangel - \$2,000	735 ILCS 5/12-1001(b)	\$ 1,000
		\$ 1,000
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles. Books, CDs, tapes, family pictures	735 ILCS 5/12-1001(a)	\$ 50
		\$ 50
06. Wearing Apparel Necessary wearing apparel	735 ILCS 5/12-1001(a),(e)	\$ 200
		\$ 200
07. Furs and jewelry. Watch, wedding ring	735 ILCS 5/12-1001(a),(e)	\$ 10
		\$ 10



UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Benjamin Beristain / Debtor

Attorney for Debtor: Mario M Arreola

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and account number, if any, of all entities holding claims secured by property of the debtor as of the date of filing of the petition. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing "H", "W", "J", or "C" in the column labeled "HWJC".

Creditor Name and Address	Account # Consideration For Claim Dates Claim Was Incurred	C U D	H W J C	Unsecured Amount	Claim Amount
1 American General Finance Attn: Bankruptcy Department 5901 South Archer Chicago IL 60638	Account No.: 08896861 Nature of Lien Non-Purchase Money Security Dates: 12/11/03 Market Value \$ 1,000 Intention: None *Description: AGF - VCR, camcorder, drill, XBox & games			\$2,400	\$ 3,400
Law Firm(s) Collection Agent(s) Representing the Original Creditor Louis Weinstock Bankruptcy Department 20 N. Clark St., #2600 Chicago IL 60602					
2 American General Finance Attn: Bankruptcy Dept. 3439 S. Halsted Chicago IL 60608	Account No.: 51011455 Nature of Lien Non-Purchase Money Security Dates: 1/19/04 Market Value \$ 1,000 Intention: None *Description: AGF - TV, camcorder, XBox & games			\$1,600	\$ 2,600
Law Firm(s) Collection Agent(s) Representing the Original Creditor Louis Weinstock Bankruptcy Department 20 N. Clark St., #2600 Chicago IL 60602					
3 Washington Mutual Bankruptcy Dept. PO Box 34150 San Antonio TX 78265-4050	Account No.: 0614391407 Nature of Lien Mortgage Dates: 10/03 Market Value \$ 240,000 Intention: None *Description: 7929 W. 74th Place., Bridgeview, IL 60455 (Debtor's Residence)			\$0	\$ 230,000



UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Benjamin Beristain / Debtor

Attorney for Debtor: Mario M Arreola

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and account number, if any, of all entities holding claims secured by property of the debtor as of the date of filing of the petition. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing "H", "W", "J", or "C" in the column labeled "HWJC".

Creditor Name and Address	Account # Consideration For Claim Dates Claim Was Incurred	C U D	H W J C	Unsecured Amount	Claim Amount
4 <u>Washington Mutual</u> Bankruptcy Dept. PO Box 34150 San Antonio TX 78265-4050	Account No.: 0614391407 Nature of Lien Mortgage Arrears Dates: 2004-05 Market Value \$ 240,000 Intention: None *Description: 7929 W. 74th Place., Bridgeview, IL 60455 (Debtor's Residence)			\$0	\$ 30,000
5 <u>Wells Fargo/Pulaski Furniture</u> Bankruptcy Department PO Box 98798 Las Vegas NV 89193	Account No.: 08974057 Nature of Lien Purchase Money Security Dates: 12/03 Market Value \$ 4,000 Intention: None *Description: Pulaski Furniture - furniture			\$2,800	\$ 6,800

TOTAL SECURED DEBT \$ 272,800



UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Benjamin Beristain / Debtor**Attorney for Debtor: Mario M Arreola****SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name and mailing address, including zip code, and account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C", in the column labeled "HWJC".

Claims of a spouse, former spouse, or child of the debtor, for alimony, maintenance or support, to the extent provided in 11 U.S.C. S507(a) (7).

Taxes and Certain Other Debts Owed to Governmental Units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. S507(a) (8).

Creditor Name and Address	Account # Consideration For Claim Dates Claim Was Incurred	C U D	H W J C	Claim Amount
1 <u>Illinois Department of Revenue</u> Bankruptcy Department PO Box 19035 Springfield IL 62794-9035	Account No. 4003 Reason: State Income Taxes Dates: 2002			\$ 70
2 <u>Internal Revenue Service</u> Attn: Bankruptcy Dept. Mail Stop 5010 CHI 230 S. Dearborn St. Chicago IL 60604	Account No. 4003 Reason: Federal Income Tax Dates: 2003			\$ 2,000
TOTAL UNSECURED PRIORITY DEBT				\$ 2,070.00



UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Benjamin Beristain / Debtor

Attorney for Debtor: Mario M Arreola

SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

State the name, mailing address, including zip code, and account number, if any, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. Do not include claims listed in Schedules D and E. If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "HWJC". If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Creditor Name and Address	Account # Consideration For Claim Dates Claim Was Incurred	C U D	H W J C	Claim Amount
1 Capital One Attn: Bankruptcy Department PO Box 790216 St. Louis MO 63179-0217	Account No. 5178-0522-7751-9118 Reason: Credit Card or Credit Use Dates: 1999-2004			\$ 900
2 Chrysler Financial/Daimler Attn: Bankruptcy Dept. PO Box 129 Thorofare NJ 08086-0129	Account No. 1002768331 Reason: Deficiency, Repo'd/Surr'd Auto Dates: 12/04			\$ 8,700
3 Comcast Bankruptcy Department PO Box 173885 Denver CO 80217	Account No. 00920000-879820136016225306 Reason: Cellular Service Dates: 2004-05			\$ 150
4 Cub Foods Bankruptcy Department 600 E. Rand Rd. Arlington Heights IL 60004-4079	Account No. 2910250220 Reason: NSF Checks Dates: 1999-2004			\$ 250
5 Harris Trust Attn: Bankruptcy Department PO Box 6201 Carol Stream IL 60188	Account No. 2910250220 Reason: Credit Card or Credit Use Dates: 1999-2004			\$ 700
6 Holy Cross Hospital Bankruptcy Department 2701 W. 68th St. Chicago IL 60629	Account No. 2332120-1 Reason: Medical/Dental Services Dates: 5/00			\$ 1,900
7 Internal Revenue Service Attn: Bankruptcy Dept. Mail Stop 5010 CHI Chicago IL 60604	Account No. 4003 Reason: Taxes - Federal, State or Local Dates: 2000			\$ 11,600
8 J.K. Harris Bankruptcy Department PO Box 1003 Totowa NJ 07511-1003	Account No. 009800003804994 Reason: Attorney's Fees & Notice Dates: 1999-2004			\$ 1,900



UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Benjamin Beristain / Debtor

Attorney for Debtor: Mario M Arreola

SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

	Creditor Name and Address	Account # Consideration For Claim Dates Claim Was Incurred		C U D	H W J C	Claim Amount
9	<u>MCI</u> Bankruptcy Department PO Box 17890 Denver CO 80217-0890	Account No. 3HF19432 Reason: Utility Bills/Cellular Service Dates: 1999-2004				\$ 300
10	<u>Merrick Bank</u> Bankruptcy Dept. PO Box 23356 Pittsburgh PA 15222	Account No. 4120-6130-4408-1492 Reason: Credit Card or Credit Use Dates: 2003-04				\$ 1,000
11	<u>Premier Bankcard</u> Bankruptcy Department PO Box 5147 Sioux Falls SD 57117	Account No. 5178-0072-6916-0586 Reason: Credit Card or Credit Use Dates: 2003-04				\$ 650
12	<u>T-Mobile</u> Bankruptcy Department PO Box 742596 Cincinnati OH 45274-2596	Account No. 315282392 Reason: Utility Bills/Cellular Service Dates: 1999-2004				\$ 1,300
TOTAL UNSECURED DEBT						\$ 29,350.00



**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

Benjamin Beristain / Debtor

Attorney for Debtor: Mario M Arreola

SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contracts, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described.

NOTE: A party listed on this schedule will not receive notice of the filing of this case unless the party is also scheduled in the appropriate schedule of creditors.

Name and Address of Other Parties to Instrument

Notes of Contract or Lease and Debtor's Interest

[x] None



**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

Benjamin Beristain / Debtor

Attorney for Debtor: Mario M Arreola

SCHEDULE H - CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. In community property states, a married debtor not filing a joint case should report the name and address of the nondebtor spouse on this schedule. Include all names used by the nondebtor spouse during the six years immediately preceding the commencement of this case.

Name and Address of Co-Debtor

Name and Address of the Creditor

[x] None



UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Benjamin Beristain / Debtor

Attorney for Debtor: Mario M Arreola

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a Chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

Debtor's Marital Status: Married

Dependent(s) Margaret Rangel, 35, wife Ricardo Beristain, 68, father 9, dep.; CB, 17, dep.; RB, 14, 12, dep.; MB, 10, dep.; AB, 8, d

EMPLOYMENT: DEBTOR

EMPLOYMENT: SPOUSE

Occupation: Driver

Homemaker

Name of Employer: Luise Inc.

Years Employed approx. 3 years

Employer Address: 1346 S. Hannah St.

City, State, Zip Forest Park

IL 60130

INCOME AND PAYROLL DEDUCTIONS

DEBTOR INCOME

SPOUSE INCOME

Current monthly gross wages, salary, and commissions

\$ 5,598.67

\$ 0.00

Estimated Monthly overtime

\$ 0.00

\$ 0.00

SUBTOTAL

a. Payroll Taxes & Social Security

\$ 1,349.49

\$ 0.00

b. Insurance

\$ 0.00

\$ 0.00

c. Union Dues

\$ 0.00

\$ 0.00

d. Pension:

\$ 0.00

\$ 0.00

e. Other:

\$ 0.00

\$ 0.00

LESS PAYROLL DEDUCTIONS

\$ 1,349.49

\$ 0.00

TOTAL NET MONTHLY TAKE HOME PAY

\$4,249.18

\$0.00

Regular income from operation of business or profession or farm (attach detailed statement)

\$ 0.00

\$ 0.00

Income from real property

\$ 0.00

\$ 0.00

Interest and dividends

\$ 0.00

\$ 0.00

Alimony, maintenance or support payments payable to debtor for the debtor's use or that of dependents listed above

\$ 0.00

\$ 0.00

Pension or retirement income

\$ 0.00

\$ 0.00

Other monthly income - Govt

\$ 1,489.00

\$ 0.00

Daughter's emp.

\$ 1,451.72

\$ 0.00

TOTAL MONTHLY INCOME

\$ 7,189.90

\$ 0.00

TOTAL COMBINED MONTHLY INCOME

\$7,189.90

Describe any increase/decrease of more than 10% in any of the above categories anticipated to occur within the yr following filing of this document:



UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Benjamin Beristain / Debtor

Attorney for Debtor: Mario M Arreola

SCHEDULE J - CURRENT EXPENDITURES

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse".

MORTGAGE & RENT (include lot rented for mobile home)Are real estate taxes included? ☒ Yes ☐ NoIs property insurance included? ☒ Yes ☐ No**UTILITIES & MAINTENANCE****NECESSARY LIVING EXPENSES****INSURANCE** - Not deducted from wages or included in home mortgage payments**AUTOMOBILE EXPENSES****SUPPORT PAYMENTS****ALL OTHER MISCELLANEOUS EXPENSES**

1st Mortgage or Rent	\$ 0.00
2nd Mortgage	\$ 0.00
3rd Mortgage	\$ 0.00
Electricity and Heating Fuel	\$ 420.00
Water and Sewer	\$ 100.00
Telephone	\$ 160.00
Garbage	\$ 0.00
Cable	\$ 0.00
Repairs, Maintenance & Upkeep	\$ 100.00
Food	\$ 700.00
Clothing	\$ 200.00
Laundry and Dry Cleaning	\$ 85.00
Medical and Dental expenses, Rx Medicines	\$ 335.00
Fuel, Maintenance, Tools, Parking, Upkeep	\$ 280.00
Recreation, Clubs, and Entertainment, etc	\$ 0.00
Newspapers, Magazines	\$ 20.00
Charitable contributions	\$ 100.00
Homeowner's or Renter's	\$ 0.00
Life	\$ 20.00
Health	\$ 0.00
Auto	\$ 100.00
Taxes - Not deducted from wages or included in home mortgage payments	\$ 0.00
Auto Installment Payments	\$ 0.00
Auto Repair	\$ 100.00
Alimony, maintenance, and support paid to others	\$ 0.00
Payments for support of additional dependents not living at your home	
Regular expenses from operation of business, profession, farm (attach detailed statement)	
Haircuts	\$ 150.00
Personal Care, Non-Rx, Toiletries, Cleaning Supplies	\$ 95.00
Postage/Banking	\$ 14.00
Contacts	\$ 80.00
Tuition, Books	\$ 55.00
Student Loans	\$ 0.00
Family member expenses	\$ 230.00
	\$ 0.00

TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)**\$ 3,344.00****FOR CHAPTER 12 AND 13 DEBTORS ONLY**

A. Total projected monthly income	\$ 7,189.90
B. Total projected monthly expenses	\$ 3,344.00
C. Excess income (A minus B)	\$ 3,845.90
D. Total amount to be paid into plan monthly	

\$ 3,845.00

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Benjamin Beristain / Debtor

Attorney for Debtor: Mario M Arreola

STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, will provide information requested on this statement concerning all such activities as well as the individual's personal affairs.

DEFINITIONS

"In business." A debtor is "in business" for the purpose of this statement if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate

Description and Details

01. INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS: Identify all sources of income if there is more than one. State the gross amount of income debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the 2 years immediately preceding this case calendar year.

Debtor's income**This Year.....: approx. \$5,600/month****Last Year.....: approx. \$67,230****Year Before...: approx. \$42,560****Source.....: employment**

Spouse

☒ NONE

02. INCOME OTHER THAN FROM EMPLOYMENT OR OPERATION OF BUSINESS: State the amount of income received by the debtor OTHER than from employment, trade, profession, or operation of the debtor's business during the 2 years immediately preceding the commencement of this case. Include all payments received from any source. Indicate multiple sources of income.

☒ NONE

Spouse

☒ NONE

03. PAYMENTS TO CREDITORS: List all payments on loans, installments, purchases of goods or services, and other debts, aggregating more than \$600.00 to any creditor, made within 90 days immediately preceding the commencement of this case. INCLUDE MORTGAGE AND VEHICLE PAYMENTS MADE IN THE LAST 3 MONTHS.

Creditor.....: American General Finance**Address.....: see schedule D****Amount Paid...: approx. \$720****Payment Dates: 2/05-5/05****Amount Owed...: \$6,000.00**

03b PAYMENTS TO RELATIVES OR INSIDERS List all payments made within 1 year immediately preceding the commencement of this case or for the benefit of creditors who are or were insiders.

☒ NONE

04. SUITS AND ADMINISTRATIVE PROCEEDINGS, EXECUTIONS, GARNISHMENTS AND ATTACHMENTS:

List all lawsuits & administrative proceedings you were a party to within 1 year of today, whether as a plaintiff or defendant or other party: include divorces, injury claims, employment claims and all others.

☒ NONE

04b: WAGES OR ACCOUNTS GARNISHED: List all property that has been attached, garnished or seized under any legal or equitable process within 1 year:



UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Benjamin Beristain / Debtor**Attorney for Debtor: Mario M Arreola**

STATEMENT OF FINANCIAL AFFAIRS

04b: WAGES OR ACCOUNTS GARNISHED: List all property that has been attached, garnished or seized under any legal or equitable process within 1 year:

Beneficiary of Seizure: Luise Inc.

Address.....: 1346 S. Hannah St., Forest Park, IL 60130

Seizure Date.....: 2/14/05-4/10/05

Property Description...: cash

Value.....: \$626.18

05. REPOSSESSION, FORECLOSURES AND RETURNS: List all property repossessed, sold at foreclosure sale, deed in lieu of foreclosure, returned to the seller, within 1 year of filing this bankruptcy:

[X] NONE

06. ASSIGNMENTS AND RECEIVERSHIPS: List assignment of property for benefit of creditors within 120 days before filing this bankruptcy:

[X] NONE

List any property in the hands of a custodian, receiver, or court-appointed official within 1 year of today.

[X] NONE

07. GIFTS: List all gifts or charitable contributions you made within 1 year before filing this bankruptcy case except ordinary & usual gifts or family members less than \$200.00 total per individual family member, & charity contributions less than \$100.00 per recipient.

Recipient.....: Saint Symphorosa Parish

Address.....: 6135 S. Austin, Chicago, IL 60638

Relationship to Debtor: religious organization

Date of Gift.....: 2004-05

Description.....: cash

Value.....: \$100/month

08. LIST ALL FIRE, THEFT OR GAMBLING LOSSES WITHIN 1 YEAR OF TODAY:

[X] NONE

09. LIST ALL PAYMENTS TO CREDIT COUNSELORS OR BANKRUPTCY ATTORNEYS INCLUDING PETER FRANCIS

GERACI: (by you, or by others for you, within 1 year of today)

Payment to debtor's attorney listed on 2016(b)

In addition to Peter Francis Geraci and his employees of his firm, I hired, at no additional fee, attorneys listed on my contract of representation to work on my case.

[X] NONE

10. If you transferred any property of any kind, either absolutely or as security, within 1 year of today, give details: (Including but not limited to: vehicle trades, transfers or sales, loans against property, divorce transfers, quit-claim deeds, trusts)

[X] NONE

11. If you CLOSED or TRANSFERRED any checking savings, pension, stock, brokerage, mutual fund, credit union or other accounts within 1 year of today, list details:

[X] NONE

12. LIST ANY SAFETY DEPOSIT BOXES OR OTHER DEPOSITORY PLACES the debtor has or had securities, cash, or other valuables within 1 year of today:

[X] NONE

13. LIST ALL SETOFFS by any creditor, such as a bank or credit union, against a debt or deposit of yours within the past year.

[X] NONE

14. LIST ALL PROPERTY THAT YOU HOLD FOR ANOTHER PERSON: (Including but not limited to: minor's accounts, vehicle in your name that is really someone else's, accounts or property or items you are on title to or in possession of)

[X] NONE

15. WHERE HAVE YOU LIVED IN LAST 2 YEARS:

[X] NONE



UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Benjamin Beristain / Debtor**Attorney for Debtor: Mario M Arreola**
STATEMENT OF FINANCIAL AFFAIRS

15. WHERE HAVE YOU LIVED IN LAST 2 YEARS:

[X] NONE

16. COMMUNITY PROPERTY STATES WISCONSIN & OTHERS: If you live or did live in a community property state or territory (Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) in last 6 years, name your spouse & ex-spouse & the community property state.

[X] NONE

17. ENVIRONMENTAL INFORMATION: "Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil surface water, ground water, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of the these substances, wastes, or material.

[X] NONE

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites. "Hazardous material" means anything defined as a hazardous waste, hazardous or toxic substances, pollutant, or contaminant, etc. under environmental Law.

a. If you have received notice of violation of any ENVIRONMENTAL LAW VIOLATION, list name & address of every site & the governmental unit, date of the notice, & Environmental law:

[X] NONE

b. If you provided notice of release of Hazardous Material, list name and address of every site and governmental unit.

[X] NONE

c. If you were party to any Environmental Law judicial or administrative proceedings, orders or settlements, give the name & address of governmental unit that is or was a party to the proceedings, & docket number.

[X] NONE

18. a. List names, addresses, taxpayer ID #, nature of business, begin & end dates all businesses, sole-proprietors, partnerships, corporations in which you had any interest, office, 5% of more voting or equity interest within 6 years of today. List same if debtor is partnership or corporation.

[X] NONE

Name Taxpayer ID# ADDRESS NATURE DATES

b. Identify any business listed above that is a "single asset real estate" as defined in 11 U.S.C. 101.

b. Identify any business listed in subdivision a. that is "single asset real estate" as defined in 11 U.S.C. 101.

[X] NONE

19. List all bookkeepers and accountants in the last 2 years who kept, or supervised the keeping of, your books of account and records.

[X] NONE

b. List all firms or individuals who have audited the books of account and records, or prepared a financial statement of yours in the last 2 years.

[X] NONE

c. List all firms or individuals who are now in possession of your books of account and records of the debtor. If any books or records are not available, explain.

[X] NONE

d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the last 2 years.

[X] NONE

20. INVENTORIES

a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

[X] NONE

b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

[X] NONE



**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

Benjamin Beristain / Debtor**Attorney for Debtor: Mario M Arreola****STATEMENT OF FINANCIAL AFFAIRS**

21A. Only if you are a partnership, list nature and percentage of interest of each member of it.

☒ **NONE**

b. Only if debtor is a corporation, list officers & directors; each stockholder who directly or indirectly owns, controls, or holds 5% or more of the voting or equity securities of the corporation.

☒ **NONE**

22. ONLY IF debtor is a partnership, list each member who withdrew from the partnership within 1 year.

☒ **NONE**

b. If the debtor is a corporation, list all officers or directors whose relationship with the corporation terminated within 1 year immediately preceding the commencement of this case.

☒ **NONE**

23. ONLY IF DEBTOR IS A PARTNERSHIP OR CORPORATION, list withdrawals or distributions or payments, bonuses, loans etc. to insiders, including compensation in any form, in past year.

☒ **NONE**

24. ONLY IF YOU ARE A CORPORATION, list information of parent corporation and taxpayer ID number in last 6 years.

☒ **NONE**

25. ONLY IF debtor is not an individual, list name & federal taxpayer ID number of any pension fund to which debtor, as an employer, was responsible for contributing in last 6 years.

☒ **NONE****I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.**

Dated: ____/____/2005

Benjamin Beristain**X Date & Sign**

*** Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property:
Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.**



UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Benjamin Beristain / Debtor

Attorney for Debtor: Mario M Arreola

STATEMENT OF INTENTION

1. Debtor(s) have filed a schedule of assets/liabilities including consumer debts secured by property of the estate.
2. Debtor(s) intention with respects to their property of the estate which secures those consumer debts is as follows:
3. Debtor(s) understand that 521(2)(B) of the Bankruptcy Code requires that the below stated intentions must be performed within 45 days of filing.

Description of Property	Creditor's Name	Intention
PROPERTY TO BE RETAINED		

☒ None

*524(c): Debt will be reaffirmed pursuant to Sec. 524(c)

*722: Property is claimed as exempt and will be redeemed pursuant to Sec. 722

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: ___/___/2005

Benjamin Beristain

X Date & Sign

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UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Benjamin Beristain / Debtor

Attorney for Debtor: Mario M Arreola

SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, C, D, E, F, I and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities.

Name of Schedule	Attached YES NO	Pages	AMOUNTS SCHEDULED		
			Assets	Liabilities	Other
SCHEDULE A - Real Property	Yes	1	\$240,000		
SCHEDULE B - Personal Property	Yes	1+	\$7,260		
SCHEDULE C - Exempt	Yes	1+			
SCHEDULE D - Secured	Yes	1+		\$272,800	
SCHEDULE E - UnSecured Priority	Yes	1		\$2,070	
SCHEDULE F - UnSecured NonPriority	Yes	1+		\$29,350	
SCHEDULE G - Executory Contracts	Yes	1+			
SCHEDULE H - CoDebtors	Yes	1+			
SCHEDULE I - Income	Yes	1+			\$7,190
SCHEDULE J - Expenditures	Yes	1+			\$3,344
			\$ 247,260	\$ 304,220	
			TOTAL ASSETS	TOTAL LIABILITIES	



**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

Benjamin Beristain / Debtor

Attorney for Debtor: Mario M Arreola

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, and that they are true and correct to the best of my knowledge, information and belief. I have disclosed on the foregoing schedules all property or assets I may have an interest in, the correct value of it, and every debt I may be liable for. I accept the risk that some debts won't be discharged. I have been advised of the difference between Chapter 7 and Chapter 13, income & expense concepts, budgeting, and have made full disclosure.

Debtor's attorney has advised debtor that creditors can object to discharge of their debt on a variety of grounds including fraud, recent credit usage, divorce and support obligations and reckless conduct.

Debtor's attorney has advised debtor that non-dischargeable debts such as taxes, student loans, fines by government units and liens on property of debtor are generally unaffected by bankruptcy.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT

Dated: ____/____/2005

Benjamin Beristain

X Date & Sign

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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

Benjamin Beristain / Debtor

Attorney for Debtor: Mario M Arreola

VERIFICATION OF CREDITOR MATRIX

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated:____/____/2005

Benjamin Beristain

X Date & Sign

*** Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property:
Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.**

